

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TERRI SCHMIDT and
ANDREW SCHMIDT, Individually and
as Parent and Next Friend of
DANIEL SCHMIDT, and
and ANDREW SCHMIDT, JR.

Plaintiffs,

vs.

JOSEPH M. FLESCH,

Defendant.

Case No: 4:05CV01498HEA

**JUDGMENT AND ORDER SUSTAINING MOTION FOR APPROVAL OF MINOR
SETTLEMENT, AUTHORIZING SETTLEMENT OF CLAIM
AND DIRECTING EXECUTION OF FULL RELEASE**

Now, on this 31st day of May, 2006, Daniel Schmidt, and Andrew Schmidt, Jr., minors, being present in person, by their duly appointed, qualified, and acting Next Friend, Andrew Schmidt, and by counsel, and Defendant, appearing by counsel, the cause having been duly assigned for hearing and all parties expressly waiving a jury, the cause is submitted to the court, upon the Motion For Approval of Minor Settlements.

The Court is further advised that the settlement involves payment of the total sum of **Ten Thousand and 00/100 Dollars (\$10,000.00)** to Daniel Schmidt, and **Ten Thousand and 00/100 Dollars (\$10,000.00)** to Andrew Schmidt, Jr., to fully and finally settle the minor plaintiffs' personal injury claims and as consideration for the release of any and all claims of Daniel Schmidt, and Andrew Schmidt, Jr., and that said sum settles all claims for, or arising out of, the injuries of Daniel Schmidt, and Andrew Schmidt, Jr., and for any medical bills and expenses incurred by Daniel Schmidt, and Andrew Schmidt, Jr. and is contingent upon approval of this

Court. Andrew Schmidt will execute releases in favor of Defendant on behalf of Daniel Schmidt, and Andrew Schmidt, Jr.

WHEREFORE, after duly examining the pleadings and hearing statements of counsel and the testimony of witnesses and other proof and evidence adduced, and being fully advised in the premises, the court finds that the proposed agreement to settle the action on the claim of the minor, Daniel Schmidt, and Andrew Schmidt, Jr. against Defendant is both reasonable and proper and in the best interests of said minors.

IT IS, FURTHER, ORDERED, CONSIDERED AND ADJUDGED BY THE COURT:

1. That Andrew Schmidt, as Father and Next Friend of Daniel Schmidt, a minor, should be, and hereby is, authorized, directed and ordered to settle finally and forever, for payment of a settlement as follows:
2. **Ten Thousand and 00/100 Dollars (\$10,000.00)** to Daniel Schmidt in full and final settlement of his claim, accrued or accruing from a motor vehicle accident involving Joseph Flesch or from any matter or thing connected therewith or flowing therefrom;
3. From said settlement amount, Daniel Schmidt shall deduct and pay as follows:
 - a. **Three Thousand Three Hundred Thirty-Three and 00/100 Dollars (\$3,333.33)** to Pritzker | Ruohonen & Associates, P.A. for attorney fees;
 - b. **Four Hundred Twenty-Four and 57/100 Dollars (\$424.57)** to Pritzker | Ruohonen & Associates, P.A. for attorney expenses;
 - c. **Four Hundred Ninety-Six and 79/100 Dollars (\$496.79)** to IMA Louisiana, Inc., for their health care lien.

d. That after deduction of the above-said amount from the cash settlement, the net proceeds total **Five Thousand Seven Hundred Forty-Five and 31/100 Dollars (\$5,745.31)** and shall be used for his exclusive use and benefit.

4. **Ten Thousand and 00/100 Dollars (\$10,000.00)** to Andrew Schmidt, Jr. in full and final settlement of his claim, accrued or accruing from a motor vehicle accident involving Joseph Flesch or from any matter or thing connected therewith or flowing therefrom;

5. From said settlement amount, Andrew Schmidt, Jr. shall deduct and pay as follows:

a. **Three Thousand Three Hundred Thirty-Three and 00/100 Dollars (\$3,333.33)** to Pritzker | Ruohonen & Associates, P.A. for attorney fees;

b. **Five Hundred Eighty-Three and 01/100 Dollars (\$583.01)** to Pritzker | Ruohonen & Associates, P.A. for attorney expenses;

c. **One Thousand Four Hundred Eighty-Five and 87/100 Dollars (\$1,485.87)** to IMA Louisiana, Inc., for their health care lien.

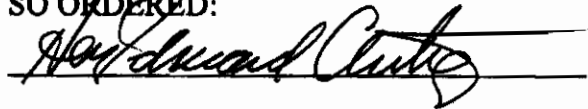
d. That after deduction of the above-said amount from the cash settlement, the net proceeds total **Four Thousand Five Hundred Ninety-Seven and 79/100 Dollars (\$4,597.79)** and shall be used for his exclusive use and benefit.

6. That since said cash settlement net proceeds are less than \$10,000.00, no bond is hereby required.

7. Andrew Schmidt, individually and as Father and Next Friend of Daniel Schmidt, and Andrew Schmidt, Jr., is authorized, directed and ordered to execute and deliver to Defendant, and all persons, firms, associations or corporations on behalf of said persons, a full release, fully releasing said persons, and all persons, firms, associations, and corporations acting on behalf of the persons released, from all further liability, claims, demands or actions, whether known or unknown, accrued or accruing, on account of the aforesaid accident or on account of any other matter related to Daniel Schmidt and Andrew Schmidt, Jr.

8. Each party to bear their own court costs.

SO ORDERED:



Entered this date:

5.31.06